

# MANDATE

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT  
THURGOOD MARSHALL U.S. COURT HOUSE  
40 FOLEY SQUARE, NEW YORK, N.Y. 10007

Catherine O'Hagan Wolfe  
CLERK OF COURT

Date: 9/1/07

Docket Number: 07-2397-pr

Short Title: Abney v. N.Y.S. Correctional

DC Docket Number: 01-cv-8444

DC: SDNY (NEW YORK CITY)

DC Judge: Honorable Shira Scheindli

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 1st day of September, two thousand seven.

Horace Abney,

Plaintiff-Appellant,

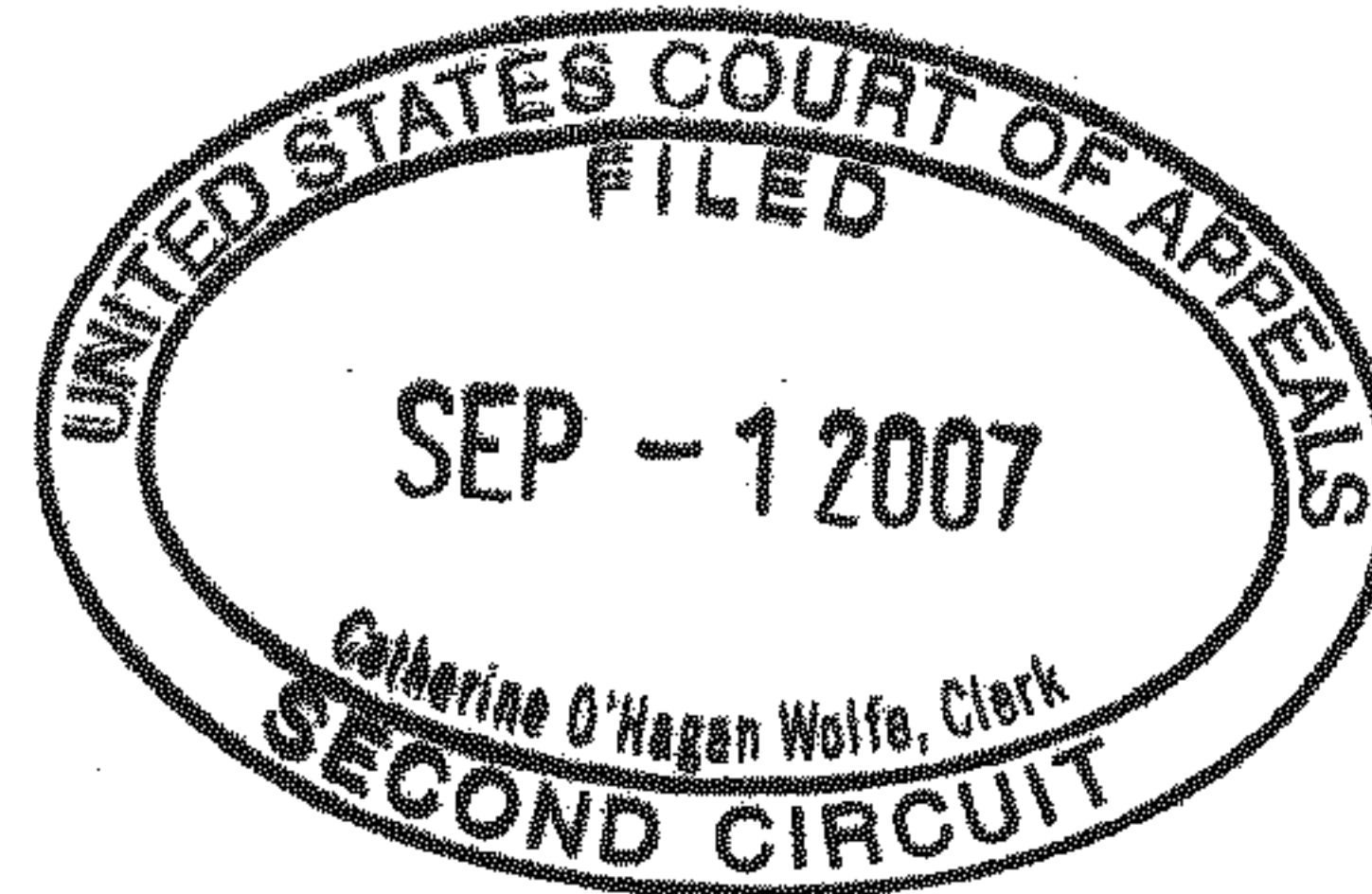
v.

Superintendent John McGinnis, Mario Malvarosa, Paul Wilson, Ann Arckert, Jane Doe, et al.,  
whose names are unknown at this time, Michael Di Pompo,

Defendant-Appellees,

New York State Dept. of Correctional Services, New York State Medical Dept., Mike Napapa,

Defendants



## ORDER OF DISMISSAL

NOTICE HAVING BEEN GIVEN that the appellant was required to file a Prisoner Authorization form, properly signed and without alternation, and **APPELLANT HAVING FAILED** to file said Prisoner Authorization form within the **THIRTY DAYS** prescribed, **THIS APPEAL IS HEREBY DISMISSED**. Any motions pending prior to the entry of this order of dismissal are deemed **MOOT**.

## CERTIFICATE OF MAILING

The undersigned Deputy Clerk hereby certifies that this Order was mailed this date to all parties to this action.

For the Court,  
Catherine O'Hagan Wolfe, Clerk

*E. Eugene L. Martin*  
By: Eugene L. Martin  
Deputy Clerk

A TRUE COPY  
Catherine O'Hagan Wolfe, Clerk

by *E. Eugene L. Martin*  
DEPUTY CLERK

Certified:

SEP 1 2007



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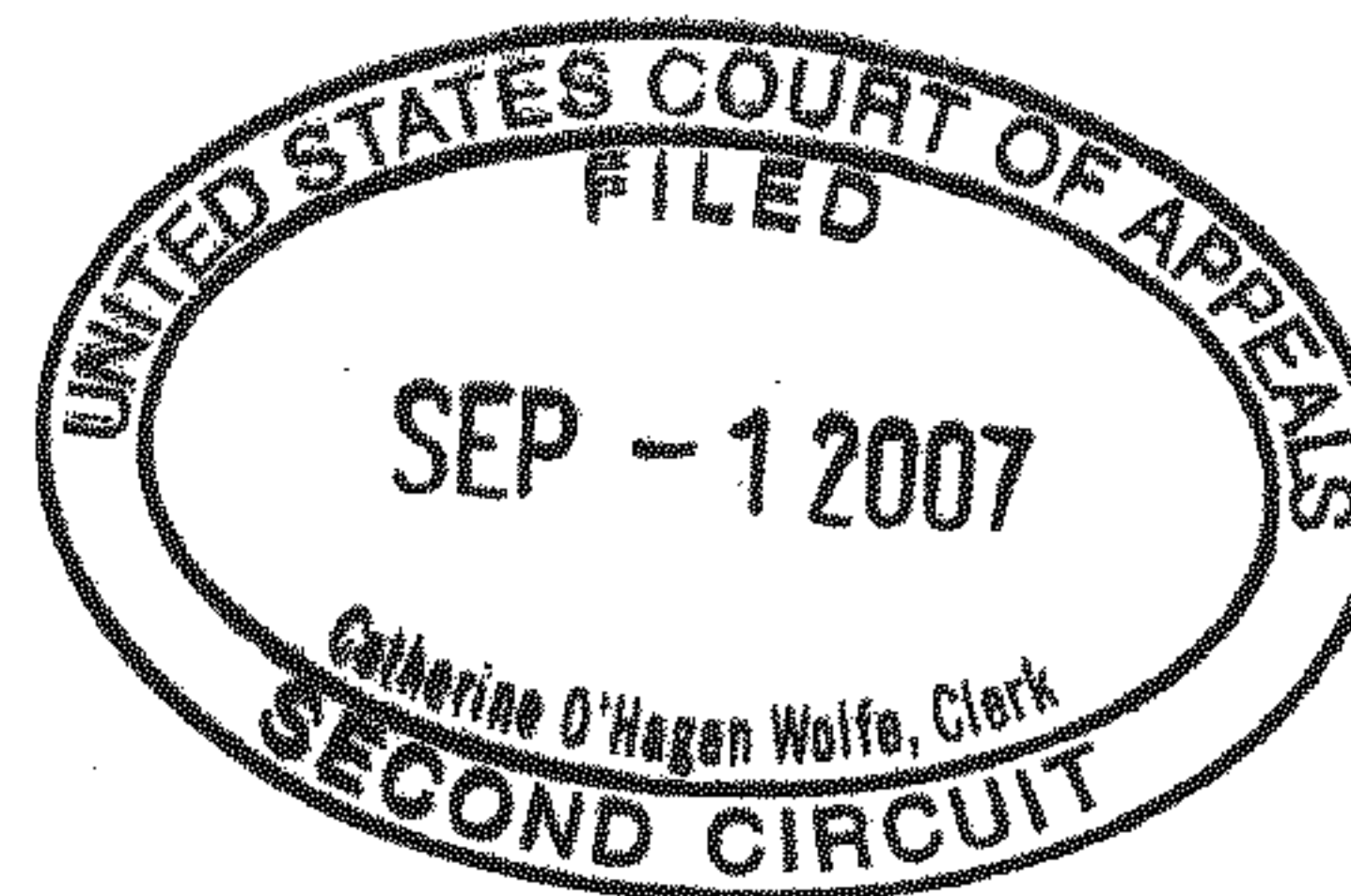
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THE CERTIFIED ( ) ORDER ( ☒ ) NOTICE  
( ) STATEMENT OF COSTS  
HAS BEEN RECEIVED BY: \_\_\_\_\_  
DATE

For the Court,  
Catherine O'Hagan Wolfe, Clerk

*E. Eugene L. Martin*  
By: Eugene L. Martin  
Deputy Clerk